

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 5/23/2005</b>	<b>VIVIAN WEST</b> was appointed as Administrator with full IAEA authority and without bond on 8/23/05.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Letters issued on 8/24/2005.	
<b>Cont. from 022814, 041014</b>	I & A showing the estate valued at \$190,700.00 was filed on 12/12/2005.	<u>Continued from 04/10/14</u> Minute Order from 04/10/14 states: The Court notes that counsel has been diligent in his attempts to locate his client. Based on counsel's exercise of diligence, the Court waives the filing fee for the petition to close the estate.
<b>Aff.Sub.Wit.</b>		<b>As of 06/09/14, nothing further has been filed.</b>
<b>Verified</b>		
<b>Inventory</b>	Notice of Status Hearing was mailed to attorney Jeff Shepard and Administrator Vivian West on 11/22/2013.	
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Status Report of Attorney Jeff Shepard filed on 2/21/14</b> states he has been unable to contact the Administrator about the Notice of Status Hearing. He has mailed by regular and certified mail, return receipt requested to all known addresses but both letters came back undeliverable. The attorney states he has called the phone number given to him by Pipkin Detective Agency, however the phone numbers are out of service.	1. Need first account or petition for final distribution.
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by: JF</b>
<b>Status Rpt</b>		<b>Reviewed on: 06/09/14</b>
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 1A – Baker-Melton</b>

**Notice of Motion and Motion to be Relieved as Counsel**

<b>DOD: 5/23/2005</b>		<p><b>JEFF S. SHEPARD</b>, attorney for Administrator, VIVIAN WEST, is Petitioner.</p> <p>VIVIAN WEST was appointed Administrator on 08/23/05 without bond.</p> <p>Letters were issued on 08/24/05.</p> <p>Inventory &amp; Appraisal showing the value of the estate at \$190,700.00 was filed 12/12/05.</p> <p><b>Petitioner states</b> that Vivian West has ceased all contact with his office. All correspondence and telephone calls have been ignored. Petitioner states that he has sent numerous letters to Ms. West regarding her duties as the personal representative of her mother's estate, but none of the letters have been acknowledged and the most recent letters have been returned as undeliverable. Petitioner states that he cannot continue as attorney for Vivian West due to her lack of cooperation and failure to perform her duties as administrator of the estate.</p> <p>Proof of Service filed 04/04/14 indicates that the Notice of Motion and Motion to be Relieved as Counsel and Declaration in Support of Attorney's Motion to be Relieved as Counsel – Civil was mailed to the Administrator at 3 different addresses.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>Continued from 04/10/14</b></u></p> <p>1. Need Notice of Hearing and proof of service of Notice of Hearing on Vivian West.</p>	
<b>Cont. from 041014</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			x
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			w/
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 06/09/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1B – Baker-Melton</b></p>				

Pro Per DeGeorge, Lois (Pro Per Petitioner, Executor)  
 Atty Markeson, Thomas A., of Wild Carter & Tipton (for Valley Stairway, Inc.; Jerry DeGeorge; and Anthony DeGeorge, Jr.)

## (1) First and Final Petition and Report of Executor (2) for Final Distribution

<b>DOD: 9/3/2005</b>		<b>LOIS MARIE DeGEORGE</b> , spouse and Executor appointed on <u>7/25/2006</u> with Full IAEA authority without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 050814</b>		<b>Account period: not stated [7/25/06 – 4/1/14]</b> Petition does not state the account period pursuant to Probate Code § 1061(a). However, based upon this atypical case characterized by lapse of time with few administrative actions taken and the simplified accounting presented, the account period may be presumed to be from the date of appointment and/or date <i>Letters</i> issued, to the date of the execution and verification of this accounting.	<b>Continued from 5/8/2014.</b> Minute Order [Judge Smith] states: No appearances. Matter continued to 6/12/2014. The Court directs that a copy of the minute order be sent to all counsel.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Accounting - <b>\$ not stated</b> Beginning POH - <b>\$ not stated</b> Ending POH - <b>\$ not stated</b>	<b>Note:</b> Clerk's Certificate of Mailing filed 5/22/2014 shows Lois DeGeorge was mailed a copy of the Minute Order dated 5/8/2014 on 5/22/2014.
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	Executor - <b>waives</b>	<b>Note:</b> Court records do not show a <i>Final Inventory and Appraisal</i> has been filed in this estate pursuant to Probate Code § 8800(b), to inform the Court of any assets that may have been marshalled by the Executor.
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<b>Petitioner states:</b> <ul style="list-style-type: none"> <li>An Inventory and Appraisal has not been filed with this Court;</li> <li>No actions were taken under Independent Administration of Estates Act (IAEA);</li> <li>The heirs under Decedent's Will are <b>JOSEPH DeGEORGE</b>, grandson, and <b>LISA M. FARMEN</b>, granddaughter;</li> <li>On 11/17/2006, the Executor paid <b>\$100,000.00</b> to <b>JOSEPH DeGEORGE</b> and <b>\$100,000.00</b> to <b>LISA M. FARMEN</b> from the Trust of the Decedent;</li> <li>Executor received no fee for these distributions; Executor is not asking for compensation.</li> </ul>	<b>~Please see additional page~</b>
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	<b>Petitioner prays for an Order of this Court that:</b> <ol style="list-style-type: none"> <li>The administration of the Estate be brought to a close; and</li> <li>The <i>First and Final Petition and Report of Executor for Final Distribution</i> be approved.</li> </ol>	<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 6/9/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 2 – DeGeorge</b>
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

NEEDS/PROBLEMS/COMMENTS, continued:

**Note for background:** Minute Order dated 3/7/2014 from the Probate Status Hearing Re: Failure to File Inventory and Appraisal; Failure to File a First Account or Petition for Final Distribution states Ms. Istanbulian is appearing specially for Attorney Joanne Sanoian. Ms. DeGeorge informs the Court that Ms. Sanoian is no longer representing her. Ms. DeGeorge is directed to see to it that a substitution of attorney is filed indicating that she is now self-represented. Based on a no asset estate, the Court waives the fees.

**Substitution of Attorney filed 3/25/2014 indicates Lois DeGeorge is self-represented as of 3/20/2014.**

1. Court records do not show notice of the *First and Final Petition and Report of Executor for Final Distribution* has been served to any of Decedent's heirs as mentioned in Decedent's Will, as listed in the initial *Amended Petition for Probate* filed 5/22/21006, nor as are mentioned in the instant *First and Final Petition and Report*. Need Notice of Hearing of the *Petition for Final Distribution on Waiver of Accounting*, together with a copy of the petition, and proof of mailed service of 15 days' notice prior to hearing pursuant to Probate Code §§ 1220, 11000 and 11601 for the following persons:
  - Anthony DeGeorge, Jr., son;
  - Jerome (Jerry) DeGeorge, son;
  - Joseph A. DeGeorge, grandson;
  - Lisa Marie Farmen, granddaughter;
  - **TRUSTEE** of the **ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT dated 5/13/1997**, as Amended by **FOURTH AMENDMENT thereto dated 8/24/2011**.
2. Need proposed order pursuant to Local Rule 7.1.1 (F) providing that a proposed order shall be submitted with all pleadings that request relief.

**Notes Re Distribution:** *First and Final Petition and Report of Executor for Final Distribution* does not comply with the provisions for estate accountings pursuant to Probate Code §§ 1061 et seq. The following notes are provided for the Court's consideration with respect to approval of the *Petition*:

- Petitioner states in Paragraph 16 of the *Petition* under the heading "*Distribution of Estate*" that she distributed a total of **\$200,000.00** to two of Decedent's heirs from the "Trust of Decedent." It is unclear whether Petitioner intends to mean by this statement that the estate contains no assets, or to mean that assets were distributed from the Decedent's Estate to the Decedent's Trust, which is a violation of the Probate Code provisions requiring Court order authorizing distribution of estate assets. It appears Petitioner may have marshalled estate assets, based upon the statement that assets were distributed.
- It is unclear from the *Petition* whether Petitioner served or currently serves as Trustee of the Trust of the Decedent, though as Executor of the Estate she is responsible for distributing to the beneficiary in Decedent's Will, namely the **TRUSTEE** of the **ANTHONY DeGEORGE REVOCABLE LIVING TRUST AGREEMENT dated 5/13/1997**, as Amended by **FOURTH AMENDMENT thereto dated 8/24/2011**, and not directly to the two persons named in the *Petition*, **JOSEPH DeGEORGE**, grandson, and **LISA M. FARMEN**, granddaughter, who may be beneficiaries of the Decedent's Trust, but who are not identified as such in the instant *Petition*.

~Please see additional page~

**NEEDS/PROBLEMS/COMMENTS, continued:**

**Notes Re Case History:**

- Lois DeGeorge (represented by Attorney John Fennacy) filed on 5/9/2006 a *Petition for Probate* seeking appointment as Executor of Decedent's Will dated 7/18/2002. Amended *Petition for Probate* was filed on 5/22/2006. Order for Probate appointing Lois DeGeorge as Exeuctor was filed 7/25/2006, and Letters issued on that date.
- Lois DeGeorge (in pro per) filed on 4/3/2007 a *Petition for Order Compelling Central Valley Community Bank to Produce Documents*. Minute Order dated 5/7/2007 states in pertinent part that Jan Boman personally appeared on behalf of Central Valley Community Bank. Ms. Boman reported that Anthony DeGeorge has no assets at the bank as owner or beneficiary since 2002. *Petition* dismissed without prejudice.
- Lois DeGeorge (represented by Attorney Joanne Sanoian) filed on 2/16/2010 a *Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*. Following litigation including demurrer by attorneys for Jerome (Jerry) DeGeorge and Anthony DeGeorge, Jr., the Court issued on 7/19/2010 an *Order Dismissing Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*.
- Lois DeGeorge (represented by Attorney Joanne Sanoian) filed on 7/23/2010 a *First Amended Petition to Determine Title to and Require Transfer of Personal Property to Estate of Decedent*, culminating in an *Order Dismissing Petition* filed July 23, 2010 [by Lois DeGeorge to determine title to estate property], which was entered on 1/3/2011, thereby serving as the end to the litigation that had been ongoing since 2006.

(1) Petition for Approval of Fourth Account Current of Trustee for the Period of March 1, 2013 to March 31, 2014, (2) Approval of Attorney's Fees, (3) Petition for Authorization to Pay for Home Modifications and Items in Order to Accommodate the Beneficiary's Special Needs, Declaration of Randolph M. Sharon

Age: 8 years DOB: 02/25/06		<b>WELLS FARGO BANK</b> , Trustee, is petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		Account period: 3/1/2013 – 3/31/2014		<b>Continued to 8/6/12</b> at the request of the attorney.	
		Accounting - <b>\$1,174,691.33</b>		1. When the Special Needs Trust was established the Trustee was allowed to purchase a handicapped equipped 2008 GMC Acadia to transport the beneficiary. To avoid liability for the Trust, title to the vehicle was placed in the name of the beneficiary's mother Cindy Gamez with the Trust listed as a lienholder. On 1/16/2014, per Court Order, the Trust was allowed to spend up to \$75,000.00 to purchase a newer handicapped vehicle to transport the beneficiary because the repairs for the 2008 GMC were becoming too costly. Disbursement schedule shows \$72,236.25 was used to purchase a Honda Odyssey. What happened to the 2008 GMC? It appears that the GMC should have either been used as a trade in or sold as it is considered an asset of the trust even though title was held by Cindy Gamez. <b>Please see additional page</b>	
		Beginning POH - <b>\$1,049,189.48</b>			
		Ending POH - <b>\$ 995,369.18</b> (\$32,771.00 is cash)			
<b>Cont. from</b>		Trustee - <b>\$17,893.10</b> (1.5% of the value of the trust pursuant to its published fee schedule and allowed by court order dated 5/1/2012)			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Attorney - <b>\$3,510.00</b> (7.8 hours @ \$450.00 per hour)			
<input checked="" type="checkbox"/>	<b>Verified</b>	Costs - <b>\$278.00</b> (for filing fee and court call appearance)			
<input type="checkbox"/>	<b>Inventory</b>	Petitioner states the beneficiary suffers from severe disabilities. The beneficiary requires a wheelchair and is completely dependent on others for all of his day-to-day activities.			
<input type="checkbox"/>	<b>PTC</b>	RNS Health Care Consultants has made recommendations concerning the beneficiary's care. RNS Health Care recommends the following:			
<input type="checkbox"/>	<b>Not.Cred.</b>	1. <b>ADA Bathroom Remodel</b> with roll in shower that will accommodate a shower chair. (Estimate \$8,286.00)			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	2. <b>Patio Covering.</b> The beneficiary has a history of skin issues. The patio cover will protect the Beneficiary from the extreme heat associated with the area in which he lives. (Estimate \$5,884.00 or \$4,643.00)			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<input type="checkbox"/>	<b>W/</b>	<b>Please see additional page</b> <b>Reviewed by:</b> KT <b>Reviewed on:</b> 6/9/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 3 -Gamez</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	3. <b>Play Structure</b> in order to promote individual health, fitness and well-being. (Estimate between \$4,500 - \$7,000 plus delivery and set up charges.)			
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<b>Please see additional page</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>				
<input type="checkbox"/>	<b>Conf. Screen</b>				
<input type="checkbox"/>	<b>Letters</b>				
<input type="checkbox"/>	<b>Duties/Supp</b>				
<input type="checkbox"/>	<b>Objections</b>				
<input type="checkbox"/>	<b>Video Receipt</b>				
<input type="checkbox"/>	<b>CI Report</b>				
<input type="checkbox"/>	<b>9202</b>				
<input checked="" type="checkbox"/>	<b>Order</b>				
<input type="checkbox"/>	<b>Aff. Posting</b>				
<input type="checkbox"/>	<b>Status Rpt</b>				
<input type="checkbox"/>	<b>UCCJEA</b>				
<input type="checkbox"/>	<b>Citation</b>				
<input type="checkbox"/>	<b>FTB Notice</b>				

**Petitioner prays for an Order:**

4. That all acts and transactions of the Trustee appearing in the accounting be confirmed and approved;
5. That the investment set forth be approved and confirmed;
6. That the distributions, payments, and all other acts of the Trustee as set forth in the account be ratified, confirmed and approved;
7. That the compensation of the Trustee during the account be approved;
8. That reasonable compensation in the sum of \$3,510.00 be allowed to the attorney, plus reimbursement of costs in the amount of \$278.00.
9. That the Trustee is authorized to spend up to \$25,000.00 to pay for the costs associated with the bathroom remodel, patio covering and play structure.

**NEEDS/PROBLEMS/COMMENTS (cont.):**

2. Minute order dated 1/28/10 allowed \$80.00 per month for cell phone charges with anything over that amount being paid by Cindy Gamez (beneficiary's mother). Disbursement schedule shows cell phone charges totaling \$1,194.35 for this account period (12 months) which averages to \$99.53 per month. (\$234.35 more than allowed per the court order.)
3. Order dated 1/16/14 allowing for the purchase of a newer vehicle allowed attorney Sharon \$200.00 for reimbursement of costs. Disbursement schedule shows disbursements of \$286.00 for reimbursement of costs. Mr. Sharon should be ordered to return \$86.00 plus interest from 2/3/14 to the trust.

**Note:** If the petition is granted, a status hearing will be set as follows:

- **Wednesday, June 1, 2016** at 9:00 a.m. in Department 303, for the filing of the fifth account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**(1) Third Account and Report of Guardian, Petition for its Settlement, (2) Petition for Allowance of Fees to Guardian of Estate, (3) for Attorney Fees and Reimbursement of Costs Advanced**

<b>Age: 7 years</b>		<b>BRUCE BICKEL</b> , Guardian of the Estate, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 2/1/12 – 1/31/14	<p>1. Order Approving Payment of Funds Pursuant to Settlement was signed on 1/4/13. The order provides that the father of the minor, Cantrell Ellis, would transfer his 50% interest in the real property to the Guardianship Estate of Daryl Ellis and the Guardianship Estate of Kierra Ellis. Bruce Bickel as Guardian of the Estate would then pay his attorney Salvatore Sciandra the sum of \$40,000.00 (\$20,000.00 from each minors' estate). Disbursement schedule shows the payment to Mr. Sciandra however the property on hand still only lists the minor's interest in the real property at 25% when it should be listed at 50%.</p> <p>2. Guardian fees includes 14.45 hours or clerical time at \$60.00 per hour for a total of \$867.00. Local Rule 7.17B4 considers secretarial services to be a part of the cost of doing business and is therefore not reimbursable.</p> <p style="text-align: center;"><b>Please see additional page</b></p>
<b>Cont. from</b>		Accounting - <b>\$213,765.44</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$212,589.25</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$148,499.22</b> (\$60,999.22 is cash)	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Attorney (Joanne Sanoian)- <b>\$2,500.00</b> (per Local Rule)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Attorney costs - <b>\$435.00</b> (filing fee)	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Guardian - <b>\$9,082.25</b> (70.97 hours at \$60-\$175 per hour)	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Current bond is \$10,000.00</b>	
<input type="checkbox"/>	<b>Letters</b>	<b>Petitioner prays for an order:</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	1. Settling and allowing the third account and report and approving and confirming the acts of petitioner as guardian;	
<input type="checkbox"/>	<b>Objections</b>	2. The Court authorize payment of \$9,082.25 to Petitioner as Guardian of the estate as compensation for his services during the account period;	
<input type="checkbox"/>	<b>Video Receipt</b>	3. Petitioner be directed to pay the sum of \$2,500.00 to Joanne Sanoian for services to petitioner and the guardianship estate during the account period;	
<input type="checkbox"/>	<b>CI Report</b>	4. Petitioner be directed to pay the sum of \$435.00 to Joanne Sanoian for costs advanced.	
<input checked="" type="checkbox"/>	<b>2620</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		



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**NEEDS/PROBLEMS/COMMENTS (cont.):**

3. Declaration of Guardian states his rate for fiduciary services is \$175.00 per hour, except that Declarant reduces his proposed fee to \$150.00 in conservatorship, guardianship and Special Needs Trusts as a courtesy discount. However, the itemization of fees shows all of Mr. Bickel's fees are charged at \$175.00 per hour for this guardianship estate. The time spent by the declarant in administrative tasks totals 9.15. Charged at \$150.00 per hour and not \$175.00 per hour declarant fees would need to be reduced by \$228.75.

**Note:** If the petition is granted, a status hearing will be set as follows:

- **Wednesday, April 6, 2016** at 9:00 a.m. in Department 303, for the filing of the fourth account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**(1) Third Account and Report of Guardian, Petition for its Settlement, (2) Petition for Allowance of Fees to Guardian of Estate, (3) for Attorney Fees and Reimbursement of Costs Advanced**

<b>Age: 13 years</b>		<b>BRUCE BICKEL</b> , Guardian of the Estate, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 2/1/12 – 1/31/14	<p>4. Order Approving Payment of Funds Pursuant to Settlement was signed on 1/4/13. The order provides that the father of the minor, Cantrell Ellis, would transfer his 50% interest in the real property to the Guardianship Estate of Daryl Ellis and the Guardianship Estate of Kierra Ellis. Bruce Bickel as Guardian of the Estate would then pay his attorney Salvatore Sciandra the sum of \$40,000.00 (\$20,000.00 from each minors' estate). Disbursement schedule shows the payment to Mr. Sciandra however the property on hand still only lists the minor's interest in the real property at 25% when it should be listed at 50%.</p> <p>5. Guardian fees includes 14.45 hours or clerical time at \$60.00 per hour for a total of \$867.00. Local Rule 7.17B4 considers secretarial services to be a part of the cost of doing business and is therefore not reimbursable.</p> <p style="text-align: center;"><b>Please see additional page</b></p>
<b>Cont. from</b>		Accounting - <b>\$213,744.11</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$212,569.22</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$146,292.87</b> (\$58,792.87 is cash)	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Attorney (Joanne Sanoian)- <b>\$2,500.00</b> (per Local Rule)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Attorney costs - <b>\$435.00</b> (filing fee)	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Guardian - <b>\$9,254.75</b> (72.12 hours at \$60-\$175 per hour)	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Current bond is \$10,000.00</b>	
<input type="checkbox"/>	<b>Letters</b>	Petitioner states the minor required orthodontic services. Petitioner has been making monthly payments. There is a balance due of \$3,381.00.	
<input type="checkbox"/>	<b>Duties/Supp</b>	Petitioner request this court allow the petitioner to withdraw the total sum of \$3,381.00 from the blocked account to pay the outstanding balance.	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>2620</b>		
<input checked="" type="checkbox"/>	<b>Order</b>	Due to the orthodontic payments the estate's unblocked checking account is very low with a current balance of \$506.50. Petitioner is also requesting to withdraw the sum of \$1,560.00 from the blocked account to be deposited into the estate's checking account.	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
<b>Please see additional page</b>			<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 6/10/14</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 5 – D. Ellis</b></p>

**Petitioner prays for an order:**

5. Settling and allowing the third account and report and approving and confirming the acts of petitioner as guardian;
6. The Court authorize the payment of \$3,381.00 to Western Dental Services Inc., from the estate's blocked account;
7. Petitioner be authorized to withdraw the sum of \$1,560.00 from the blocked account to be deposited into the estate's checking account;
8. The Court authorize payment of \$9,254.75 to Petitioner as Guardian of the estate as compensation for his services during the account period;
9. Petitioner be directed to pay the sum of \$2,500.00 to Joanne Sanoian for services to petitioner and the guardianship estate during the account period;
10. Petitioner be directed to pay the sum of \$435.00 to Joanne Sanoian for costs advanced.

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**NEEDS/PROBLEMS/COMMENTS (cont.):**

6. Declaration of Guardian states his rate for fiduciary services is \$175.00 per hour, except that Declarant reduces his proposed fee to \$150.00 in conservatorship, guardianship and Special Needs Trusts as a courtesy discount. However, the itemization of fees shows all of Mr. Bickel's fees are charged at \$175.00 per hour for this guardianship estate. The time spent by the declarant in administrative tasks totals 9.35. Charged at \$150.00 per hour and not \$175.00 per hour declarant fees would need to be reduced by \$233.75.

**Note:** If the petition is granted, a status hearing will be set as follows:

- **Wednesday, April 6, 2016** at 9:00 a.m. in Department 303, for the filing of the fourth account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

## Third Amended First and Final Account and Report of Conservator; Petition for Its Settlement; for Attorney Fees; and Discharge or Conservator of the Estate

<b>DOD: 04/17/13</b>		<b>KATINA SAPIEN LOZANO PAULEY,</b> Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>09/19/11 – 12/16/13</b>	1. The Petition (and Order) seek authorization to withdraw funds from various conservatorship accounts to pay the requested attorney fees, however it appears that there are sufficient funds already in the trust account to pay the fees. It is noted that Schedule E – Property on Hand indicates that there is a balance of \$7,731.72 in the client trust account. After payment of the requested \$7,295.00 in attorney's fees (if approved), there should be a balance of \$436.72 to be refunded to the conservatorship estate. Need clarification.
<b>Cont. from 052914</b>		Accounting - <b>\$102,960.95</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$37,268.63</b>	2. Need accounting period for the period after decedent's death pursuant to Probate Code § 2620(b).
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$17,668.83</b> (\$15,668.83 is cash)	
<input type="checkbox"/>	<b>Inventory</b>	Conservator - <b>waived</b>	
<input type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$7,295.00</b> (per declaration, itemized by date for 2.4 hours @ \$300/hr., 17.3 hours @ \$200/hr. and 31.15 hours @ \$100/hr.)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Petitioner states that \$10,796.83 was paid to the Joanne Sanoian client trust account on 06/04/12. The Court subsequently reduced the approved attorney fee to \$8,874.83 leaving a balance in the trust account of \$1,442.00 ( <b>see note 1</b> ).	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Petitioner requests that the remaining property on hand be distributed to her as the successor trustee of the Angelina S. Lozano Living Trust pursuant to Probate Code § 13100 (Declaration attached to Petition as exhibit B).	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/	Bond, currently posted in the amount of \$60,000.00 is sufficient.	
<input type="checkbox"/>	<b>Aff.Pub.</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	1. Authorizing the attorney's fees;	<b>Reviewed by:</b> JF
<input type="checkbox"/>	<b>Pers.Serv.</b>	2. Authorizing Petitioner to close the blocked account ending in 5483 and deposit into the conservatorship checking account ending in 6758.	<b>Reviewed on:</b> 06/09/14
<input type="checkbox"/>	<b>Conf. Screen</b>	3. Authorizing and directing Petitioner to distribute the remaining assets in the Joanne Sanoian Client Trust Account into the conservatorship's checking accounting ending in 6758.	<b>Updates:</b>
<input type="checkbox"/>	<b>Letters</b>	4. Authorizing the distribution of the remaining assets of the conservatorship estate to Katina Sapien Lozano Pauley as successor trustee of the Angelina S. Lozano Living Trust.	<b>Recommendation:</b>
<input type="checkbox"/>	<b>Duties/Supp</b>	5. Discharging Petitioner's bond and upon filing of the proper receipts, and filing of an Ex Parte Order for Final Discharge, discharging Petitioner.	<b>File 6 - Lozano</b>
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>2620(c)</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Atty Roberts, David A. (for Joan St. Louis – Conservator – Petitioner)  
Atty Boyett, Deborah K. (Court appointed attorney for Conservatee Wanda H. Bingham – Objector)  
Atty Burnside, Leigh W. (for Wells Fargo Bank, N.A. – Co-Trustee of Trust – Objector)  
Atty Chambers, Paul (for Randy Grace – Co-Trustee of Trust – Objector)

**Amended First Account and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorneys' Fees and Costs**

	<b>JOAN ST. LOUIS</b> , Successor Conservator with bond of \$50,000.00, is Petitioner.		<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b><u>SEE ADDITIONAL PAGES</u></b>
	<b>Account period: 4-25-12 through 12-31-13</b>		
	Accounting:       \$484,471.95		
	Beginning POH:   \$342,061.57		
	Ending POH:      \$390,316.83 (\$372,316.83 is cash)		
	<b>Conservator:</b> \$44,697.49 plus \$2,760.24 mileage, for a total of :\$47,457.73 (for 297.98 hrs @ \$150/hr, and for 4,929 miles @ \$0.56/mile, per declaration, to be paid by the Survivor's Trust)		
	<b>Petitioner requests</b> that she be allowed to pay herself in the future a set sum of \$2,250/month plus mileage, annually upon court order for the accounting period, which wil eliminate the need for writing down each and every telephone call and trip to the conservatee's residence.		
	<b>Attorney:</b> \$12,636.00 plus costs of \$971.00, for a total of \$13,607.00 (for 42.4 attorney hours @ \$300/hr and 1.05 paralegal hours @ \$120/hr, per declaration. Costs include filing, appraisal, and certified copies.)		
	<b>Petitioner prays for an order:</b>		
	1. Settling and allowing the account;		
	2. Approving and confirming the acts of petitioner as conservator of the person and estate;		
	3. Allowing \$44,697.49 plus \$2,760.24 mileage to be paid to the conservator from the Survivor's Trust;		
	4. Allowing \$12,636.00 plus \$971.00 to be paid to the attorney from the Survivor's Trust;		
	5. Allowing the Conservator to pay herself a set sum of \$2,250/month plus mileage, payable annually upon court order; and		
	6. For such other and further relief as may be just, equitable, and proper.		
	<b>Objections have been filed. See additional pages.</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 6-9-14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 7 - Bingham</b>

**Objections were filed 5-23-14 by Deborah Boyett, Court appointed attorney for Conservatee Wanda H. Bingham, and Guardian Ad Litem for Mrs. Bingham in the related trust matter. Objector states the account should not be approved on the following grounds:**

- A. The compensation requested by the conservator is excessive and does not satisfy the statutory requirement of being "just and reasonable."
- B. The conservator has relinquished a number of responsibilities sine her appointment in January 2013 and the request for a set sum of \$2,250/month in the future is excessive and is not "just and reasonable."
- C. The schedules supporting the accounting are incomplete and describe transactions not readily understood without further detail and should be amended as more specifically requested in the objection.

Compensation for the conservator at a rate of \$150/hour is not a rate customarily allowed for similar conservatorships. Although the conservator has an advanced degree and her expertise in caring for Alzheimer's patients was instrumental in assisting and instructing the conservatee's caregivers, the account does not offer support for determining that the routine services provided as conservator required more than ordinary skill or judgment. Although the conservatorship estate has presented management challenges from the beginning, and there has been ongoing confusion, lack of effective communication, and at times contentiousness as to whether certain responsibilities were duties of the conservator or the co-trustees (Wells Fargo Bank, NA, and Randy Grace), the conservator of the estate had limited estate management duties comprised of ensuring residential maintenance and bills, cash for spending money for the Conservatee. However, since approx. May 2013, the responsibility for the payment of the residential bills was assumed by Wells Fargo Bank, NA, and the responsibility for residential maintenance was assumed by Randy Grace individually and a property manager hired by him. There are no services provided as conservator of the person or as conservator of the estate which would require an unusual level of skill or expertise to justify the hourly compensation requested. Based on a review of current wages in Fresno County, Attorney Boyett suggests that \$25-35/hr may be appropriate.

Likewise, the set sum of \$2,250/month plus mileage appears to be based on the same hourly rate of \$150/hr for 15 hours of service per month; however, as noted, the conservator is not rendering certain services, and there is no indication that she has increased or will increase the services she is providing. Additionally, the conservator has indicated very recently that she is not accepting responsibility for ensuring that the conservatee's taxes are timely paid and returns timely filed. Rather, she has indicated that this responsibility is to be assumed by the co-trustees. Therefore, as she has relinquished certain services she was otherwise providing, to estimate the same hours for future services is not justified and too speculative and the Court should deny this request.

The objection further provides various line items that require more detailed explanation. See objection for specifics, including disbursements for donations, jewelry, bank fees, cash withdrawals, and others, and lack of disbursements or receipts for certain time frames, etc., without explanation.

Objection states the account appears to be incomplete and lacks sufficient explanation as to the purpose of certain transactions; therefore, an amended account should be filed.

**Objector requests that the account be denied, that the compensation to the conservator be denied, and that the account be amended to correct insufficiencies.**

**SEE ADDITIONAL PAGES**

**Objections were filed 6-5-14 by Wells Fargo Bank, N.A., and joined by Randy Grace, Co-Trustees of the Byrum C. and Wanda H. Bingham Family Trust.** Objectors object as follows:

- A. Compensation of \$44,697.49 is excessive. Objectors agree with Ms. Boyett that an hourly rate of \$25-35 is just and reasonable for the services performed by the Conservator;
- B. Compensation of \$2,250/month is excessive;
- C. Objectors also find the schedules to be incomplete and lacking sufficient explanation. In addition to the issues identified by Ms. Boyett, Objectors also note additional issues, including that the earrings purchased for \$15,909.08 are not listed as an asset of the conservatorship estate. Given their value, Objectors submit that they should be included in future inventories, failure to identify investments of the IRA, etc. See Objections for details.
- D. The petition fails to state various information required by Probate Code §1064;
- E. The petition does not address that the current bond is insufficient.
- F. The Conservator failed to timely file any of the estimated taxes for the conservatorship estate resulting in late penalties and interest in the amount of \$1,450.00 and the conservator should be individually surcharged that amount. Information provided.
- G. The mileage reported is excessive. The conservator reports that a visit to Mrs. Bingham's house is a 50-mile round trip; however, pursuant to online mapping services, it is a 17.67 mile trip one way making it an approx. 35-mile round trip.
- H. Objectors object to certain line items on Petitioner's time and mileage sheet.

**Wells Fargo Bank, N.A., and Randy Grace, as Co-Trustees, request an order directing that the conservator file an amended account addressing the deficiencies set forth in the objections, disallowing the request for compensation and future compensation rate, requiring an additional bond for a total bond of \$485,578.45 as calculated, surcharging the conservator for the \$1,450 in penalties and interest for her failure to timely file taxes, disallowing mileage reimbursement as requested, and disallowing certain specific line items in the compensation request.**

**SEE ADDITIONAL PAGES**

**NEEDS/PROBLEMS/COMMENTS:**

1. The schedules do not appear to correspond to the account period. For example, the interest and dividends from the IRA begin at June 2012, and the social security receipts begin at May 2013. Need clarification or amended schedules for the complete account period beginning 4-25-12.
2. Disbursement on 1-18-13 indicates \$923.97 "Deaf School – Donation." Examiner notes that donations typically require Court approval via substituted judgment. See Duties of Conservator, Cal. Rules of Court 7.1059 and Probate Code §2583(b). The Court may require clarification as to the donation, the amount, the recipient, etc. Pursuant to Probate Code §2583(b), was this gift in line with the conservatee's past donative practices?
3. Disbursements Schedule indicates gifts of \$1,000.00 to Brian Grace, Brian Grace, Jr., Benecia Grace, and Randy Grace "per court order" in March 2013. Need clarification: On what date did the Court authorize these gifts? Please note that the conservatorship file is extensive, and as such the Examiner was unable to find any such order for this time frame.

Note: There is a line item in the Receipts Schedule indicating that \$6,000.00 was received from the trust in December 2012 "per court order" to distribute gifts. However, please note that the trust is a separate entity and file from this conservatorship estate, and therefore, anything that occurred in the trust is not readily understandable from this petition unless it is explained.

Regardless, the amount disbursed to the recipients mentioned above does not total \$6,000.00. Need clarification: What exactly did the Court authorize, and was it achieved? The Court may require receipts from the recipients.

4. Disbursements Schedule indicates a disbursement to Jeffrey Bingham in the amount of \$584.00. Need explanation.
5. Disbursements Schedule indicates a disbursement to Randy Grace for \$500.00. Need explanation.
6. Disbursements Schedule indicates a reimbursement to Randy Grace of \$303.00. Need explanation.
7. Disbursements Schedule indicates numerous miscellaneous cash withdrawals. Need clarification.
8. Need clarification re lump sum disbursements paid on 12-31-12 of \$1,157.20 and \$2,236.84 in Wells Fargo Bank Fees for 2012 and 2013. What are the fees for, and why were they both paid in lump sums on the same date at the end of 2012?



9. Need clarification re the reimbursement to the conservator's account for earrings purchased for the Conservatee in the amount of \$15,909.08. Also, as noted in the objections, given the value of the item purchased, it appears the new jewelry should now be included as an asset of the conservatorship estate.
10. Need clarification re the disbursement of \$48,156.91 to the trust. Was this authorized by the Court?
11. According to the objections, Petitioner failed to timely pay certain tax liabilities of the conservatorship estate resulting in penalties. Need clarification with reference to Probate Code 2461, Cal. Rules of Court 7.1059, and Duties of Conservator Form GC-358. Examiner notes that there is at least one line item in Petitioner's fee request for a meeting with the CPA re tax returns and additional line items in the attorney's fee request regarding a substantial refund (\$225,000.00); however, there are no disbursements noted in the schedules relating to payment of taxes, and no receipts in the amount referenced by the attorney. Were the \$225,000.00 refund and the attorney time spent thereon related to this conservatorship estate? Need clarification regarding the taxes for this conservatorship and a schedule if required pursuant to Probate Code §1063(g).
12. As noted in the objections, Petitioner requests compensation at a rate of \$150/hr due to her knowledge and expertise in dealing with Alzheimer's patients. The Court may require clarification as to how the majority of the tasks detailed in Petitioner's itemization of conservatorship duties require advanced expertise as opposed to the general care and duty required of a conservator. (Examiner notes that many of the line items involve travel to and from various places, such as the country club to pick up a bill, the credit union, Vons, and even PG&E to pay a bill.)
13. The objections also noted that Petitioner's mileage appears excessive based on actual distances. Examiner notes also that the mileage appears as rounded figures rather than actual mileage recorded (e.g., 50 miles for a visit to the conservatee's home, 30 miles for a visit to the credit union, etc.) The Court may require clarification regarding the distances traveled. The Court may also require clarification regarding the necessity of physically traveling to the financial institutions and various creditors' locations to pay bills (PG&E, the country club, etc.)
14. Need account statement for IRA for the beginning of the account period (April 2012) and the period immediately prior pursuant to Probate Code §2620(c)(2). (The statement provided is for June 2012.)

15. It appears the current bond is not sufficient. Examiner notes that under the original conservator of the estate, David J. St. Louis, the estate consisted solely of one IRA account, which was blocked. See receipt filed 5-22-12. It appears day to day expenses were handled by the trust at that point. However, upon Mrs. St. Louis' appointment as successor conservator, an account was opened at Fresno County Federal Credit Union in the amount of \$43,605.41 for use by the conservatorship estate and Mrs. St. Louis filed a bond in the amount of \$50,000.00. However, it appears that during this account period, additional assets were received, and the conservatorship estate now receives income as well.

At this time, Schedule E (Property On Hand) reflects three accounts as follows:

- FCFCU Savings: \$74,034.95
- FCFCU Checking: \$7,222.80
- IRA (under a new account number): \$291,059.08

Therefore, need receipt for blocked account reflecting the new IRA account number, and bond covering all amounts that are not blocked (FCFCU Savings and Checking), and also including calculations for annual income and cost of recovery. Examiner calculates bond should be increased to a total of \$146,918.84 if the IRA is blocked.

Note: This calculation does not consider the FMV increase discussed below; however, the Court may wish to include this in the calculation.

16. The Summary indicates an increase in FMV of the IRA of \$43,425.11; however, there is no explanation or schedule to support this figure. Need clarification. See Probate Code §1062(a).

Note: The IRA was originally inventoried as a cash asset pursuant to the I&A filed 2-28-13 and Probate Code §8901. It appears that it continues to be held as an uninsured investment account. The objections are requesting that Petitioner identify each asset in the managed investment account. At this point, the Court may require clarification regarding its original inventory value, if this is actually an asset with individually held investments that fluctuate in value rather than simple cash value identifiable by receipts.

Note: The Receipts schedule *separately* notes that dividends in the amount of \$11,881.09 were received from the IRA. This figure appears to be separate from the FMV calculation, but it is unclear. Are these cash dividends received from the IRA (the \$11,881.09) deposited back into the IRA, thereby contributing to the increase in FMV, or are they received as income by the Conservatee and therefore deposited to savings or checking?

17. The conservatorship estate received proceeds from two life insurance policies totaling \$36,662.18 on 10-29-13. The attorney fee request indicates a telephone conference with the Veterans Administration regarding payment on insurance policies. Pursuant to Probate Code §1461.5, if the conservatorship estate consists wholly or in part of money received from the Veterans Administration, notice of hearing is required to be served on the Office of Veterans Administration.

Examiner's Note: There may be additional issues upon further review.

**First and Final Report of Status of Administration on Waiver of Account and Petition for : (1) Compensation to Attorney for Ordinary Services; (2) Final Distribution; and (3) Reimbursement of Costs Advanced**

<b>DOD: 07/03/11</b>		<b>AIMEE HOLLAND</b> , Successor Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  See related case Page 12.  <u><b>CONTINUED FROM 04/24/14</b></u> Minute Order from 04/24/14 states: Issues discussed in open court. Mr. Winter will file another petition and will get the same date as this matter as long as it is filed in a timely manner.  As of 06/09/14, nothing further has been filed. <b>Note:</b> An amended proposed Order has been submitted that proposes to distribute the property to Aimee Holland as Special Administrator of the Estate of Barbara Morgan, however, no amended Petition or Declaration/Supplement has been filed requesting such relief. The relief granted in an order signed by this court must be supported by filed documentation requesting such relief.
		Accounting is waived.	
<b>Cont. from 041014, 061214</b>		I & A - <b>\$119,714.51</b>	<ol style="list-style-type: none"> <li>The property on hand appears to be miscalculated in the Petition and only includes the cash assets of the estate. The figure in the Petition excludes the vehicle valued at \$3,400. Examiner calculates that the total property on hand to be \$126,938.56.</li> <li>The Petition states that the beneficiary of this estate is Barbara R. Morgan, who is now deceased, thus her estate is now the beneficiary. The Petition requests to pass the proceeds of this estate pursuant to the terms of Barbara's will; however, the proceeds of this estate cannot be passed pursuant to the will of its beneficiary. The assets of this estate can only pass to the Estate of Barbara Morgan as the intestate heir. From Barbara Morgan's estate, the proceeds can then be administered pursuant to her will. It is unclear from this Petition whether the Petitioner has been appointed as the personal representative of Barbara Morgan's estate.</li> </ol>
<b>Aff.Sub.Wit.</b>		POH - <b>\$123,538.56</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	(\$126,938.56, see note 1) (\$123,538.56 cash plus a vehicle valued at \$3,400.00)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator - <b>waived</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$4,808.16</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Costs - <b>\$2,361.00</b> (filing fees, publication, certified copies, notary fees, probate referee)	
	<b>Notice of Hrg</b>	Closing - <b>\$2,000.00</b>	
	<b>Aff.Mail</b>	<b>Distribution, pursuant to intestate succession, and subject to the will of the deceased beneficiary is to:</b>	
	<b>Aff.Pub.</b>	Aimee Holland, successor trustee of the Morgan Family Trust – 100% of the assets	
	<b>Sp.Ntc.</b>	<b>NEEDS/PROBLEMS/COMMENTS Con't:</b>	
	<b>Pers.Serv.</b>	3. The Petition states that Aimee Holland and Gail Stone as beneficiaries of the Morgan Family Trust have consented to "distribution in-kind" of the vehicle asset of this estate to the Trustee of the Morgan Family Trust. It is unclear what is meant by an "in-kind" distribution because it appears that Petitioner is requesting to distribute this asset to herself as successor trustee of the Morgan Family Trust, which is the same distribution she is requesting for all of the assets of the this estate. Need clarification. It is noted again, that this vehicle can only pass to the Estate of Barbara Morgan. It can then be distributed pursuant to the terms of her will from her estate.	
	<b>Conf. Screen</b>	4. Need Notice of Hearing.	
	<b>Letters</b>	5. Need proof of service at least 15 days before the hearing to the Personal Representative of the Estate of Barbara Morgan.	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 06/09/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 8 – Shaver</b>

Atty Petty, Jonathon L., sole practitioner (for Petitioner Alex Brehm, Administrator)  
 Atty Wright, Judy, of Wright & Wright (for Petitioner Alex Brehm, Administrator)

(1) First and Final Report of Administrator; (2) Petition for Final Distribution Without an Accounting and (3) for Allowance of Compensation for Ordinary Services

<b>DOD: 6/8/2013</b>		<b>ALEX BREHM</b> , family friend and Administrator, is Petitioner.  Accounting is waived.  I & A — \$160,850.00 POH — \$165,287.65 (\$130,287.65 is cash)  Administrator — \$6,987.54 (statutory)  Attorney — \$6,987.54 (statutory)  Closing — \$2,000.00  Distribution pursuant to intestate succession is to:  <b>GEOFFREY WORSTELL</b> – \$39,656.29 cash, and real property;  <b>NANCY CALDWELL-HERSHORIN</b> – \$74,565.28 cash.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>OFF CALENDAR</b>  <i>Amended First and Final Report</i> filed 5/29/2014 is set for hearing on 7/1/2014.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
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<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
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<input type="checkbox"/>	<b>Aff.Pub.</b>		
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<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
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<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 6/9/14 <b>Updates:</b> 6/11/14 <b>Recommendation:</b> <b>File 9 - Worstell</b>	

Atty Petty, Jonathon L., sole practitioner (for Kristen Peterson, daughter)

## Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 10/2/2013</b>		<b>KRISTEN PETERSON</b> , daughter and named Executor without bond, is Petitioner.  Full IAEA – O.K.  Will Dated: 3/13/1990  Residence: Fresno  Publication: Business Journal  <b>Estimated value of the Estate:</b> Real property - \$60,000.00 Personal property - \$ 2,000.00 Total - \$62,000.00  <b>Probate Referee: Rick Smith</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Proposed personal representative is a resident of Providence, Rhode Island. Court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rule of Court 7.201(b) and Probate Code § 8571.  <b>Note:</b> If <i>Petition</i> is granted, Court will set status hearings as follows: <ul style="list-style-type: none"> <li>• <b>Wednesday, July 16, 2014 at 9:00 a.m. in Dept. 303</b> for filing proof of bond, <i>if Court requires bond</i>;</li> <li>• <b>Wednesday, November 12, 2014 at 9:00 a.m. in Dept. 303</b> for filing of final inventory and appraisal; and</li> <li>• <b>Wednesday, August 12, 2015 at 9:00 a.m. in Dept. 303</b> for filing of first account and/or petition for final distribution.</li> </ul> Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
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<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			

<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 6/9/14
<b>Updates:</b> 6/11/14
<b>Recommendation:</b>
<b>File 10 - Peterson</b>

<b>DOD: 04/23/2010</b>  <b>Cont. from</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 85%;"><b>Aff.Sub.Wit.</b></td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td><b>Verified</b></td> <td></td> </tr> <tr> <td></td> <td><b>Inventory</b></td> <td></td> </tr> <tr> <td></td> <td><b>PTC</b></td> <td></td> </tr> <tr> <td></td> <td><b>Not.Cred.</b></td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td><b>Notice of Hrg</b></td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td><b>Aff.Mail</b></td> <td style="text-align: center;">w/</td> </tr> <tr> <td></td> <td><b>Aff.Pub.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Sp.Ntc.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Pers.Serv.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Conf. Screen</b></td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td><b>Letters</b></td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td><b>Duties/Supp</b></td> <td></td> </tr> <tr> <td></td> <td><b>Objections</b></td> <td></td> </tr> <tr> <td></td> <td><b>Video Receipt</b></td> <td></td> </tr> <tr> <td></td> <td><b>CI Report</b></td> <td></td> </tr> <tr> <td></td> <td><b>9202</b></td> <td></td> </tr> <tr> <td></td> <td><b>Order</b></td> <td style="text-align: center;">x</td> </tr> <tr> <td></td> <td><b>Aff. Posting</b></td> <td></td> </tr> <tr> <td></td> <td><b>Status Rpt</b></td> <td></td> </tr> <tr> <td></td> <td><b>UCCJEA</b></td> <td></td> </tr> <tr> <td></td> <td><b>Citation</b></td> <td></td> </tr> <tr> <td></td> <td><b>FTB Notice</b></td> <td></td> </tr> </table>		<b>Aff.Sub.Wit.</b>		✓	<b>Verified</b>			<b>Inventory</b>			<b>PTC</b>			<b>Not.Cred.</b>		✓	<b>Notice of Hrg</b>		✓	<b>Aff.Mail</b>	w/		<b>Aff.Pub.</b>			<b>Sp.Ntc.</b>			<b>Pers.Serv.</b>			<b>Conf. Screen</b>		✓	<b>Letters</b>		✓	<b>Duties/Supp</b>			<b>Objections</b>			<b>Video Receipt</b>			<b>CI Report</b>			<b>9202</b>			<b>Order</b>	x		<b>Aff. Posting</b>			<b>Status Rpt</b>			<b>UCCJEA</b>			<b>Citation</b>			<b>FTB Notice</b>		<p><b>PEDRO G. GONZALES</b>, son is petitioner and requests appointment as Administrator without bond.</p> <p>Petitioner is a resident of Abilene, Texas</p> <p>All heirs waive bond</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Clovis Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b> Personal property - \$151,000.00</p> <p>Probate Referee: Rick Smith</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Proposed personal representative is a resident of Texas. Probate Code §8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.</li> <li>Need Order.</li> </ol> <p><b><u>Note:</u> If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li><b>Thursday, 11/13/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b><u>and</u></b></li> <li><b>Thursday, 08/13/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> <p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 06/10/2014</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11 - Gonzales</b></p>
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Petition for Letters of Special Administration; Authorization to Administer Under  
IAEA (Prob. C. 8002, 10450)

<b>DOD: 10/20/2013</b>		<b>AIMEE HOLLAND</b> , step-granddaughter/named executor, is petitioner, without bond.  Limited Authority - ?  Will dated: 08/18/1992 Codicil: 09/29/2011  Residence: Clovis Publication: <b>Need</b>  <b>Petitioner states:</b> Appointment of special administrator with power to receive assets from the Estate of Connie J. Shaver, Fresno Superior Court Case No. 12CEPR00672, to the Estate of Barbara R. Morgan and distribution to the Morgan Family Revocable Living Trust, the sole beneficiary under Decedent's will.  Grounds for appointment as special administrator: 1. Administrator is informed and believes the only asset of Decedent's Estate outside of the Trust are the funds in the Estate of Connie J. Shaver. 2. Administrator is also the Successor Trustee of Decedent's Trust and continues to have responsibility to deal with creditors fairly in her role as Trustee. 3. Administrator is informed and believes there are no creditors of Decedent's estate.  <b>Estimated value of the Estate:</b> Personal property - \$119,714.51  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
			<b>See Related case page 8.</b>	
			1. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1).	
			2. Need Affidavit of Publication.	
			3. Pursuant to Probate Code §8540 Special Administrator is appointed for situations requiring immediate appointment to perform a specific act. This does not appear to be a situation requiring a Special Administrator. Therefore it appears the entire estate must be probated.	
			4. Petition states that there are no known creditors of the decedent's estate however a Creditor's Claim has been filed.	
			<b>Note: If the petition is granted status hearings will be set as follows:</b>	
			• <b>Thursday, 11/13/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>	
			• <b>Thursday, 08/13/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.	
			Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
			<b>Reviewed by:</b> LV	
			<b>Reviewed on:</b> 06/10/2014	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 12 - Morgan</b>	

<b>DOD: 3-17-13</b>		<b>On 5-7-14, TARIQ ABBASI</b> was appointed as Special Trustee of the David Robertson Revocable Living Trust, as related to the Shaver Lake Property, and was also appointed as Trustee of the Mattox Trust, created under the David Robertson Revocable Living Trust.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. <b>Need bond in the amount of \$250,000.00.</b>
		The order requires that Mr. Abbasi obtain a bond in the amount of \$250,000.00.	
		The Court set this status hearing for the filing of the bond.	
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
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<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<b>Reviewed by:</b> skc	
		<b>Reviewed on:</b> 6-11-14	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 13 - Robertson</b>	



Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 17 years DOB: 7/6/1996		THERE IS NO TEMPORARY. No temporary was requested.		NEEDS/PROBLEMS/COMMENTS:		
		DAVID McFADDEN and EULALIA McFADDEN, parents, are petitioners and request appointment as conservator of the person with 2590 powers, powers relating to 2351 – 2358 and medical consent powers.		1. Proof of service of the Notice of Hearing is incomplete. It does not include the date the Notice of Hearing was mailed, the signature of the person serving the document was not dated and the business address of the person serving the document was not included.		
Cont. from		Declaration of Barbara W. Stewart, M.D.		2. Petition requests powers under Probate Code §2590. The petition is requesting conservatorship of the person only and 2590 powers relate to conservatorships of the estate.		
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states the proposed conservatee has autism, spina bifida and is wheelchair bound. He requires assistance with bathing, dressing and eating.		3. Petition requests powers in relation to the care, custody and control of the conservatee. A general conservatorship of the person is already given those powers, it is only if the petitioner wants to limit them that they would need to be addressed.		
<input checked="" type="checkbox"/>	Verified					
<input type="checkbox"/>	Inventory	Court Investigator Julie Negrete's Report filed on 6/5/14.				
<input type="checkbox"/>	PTC					
<input type="checkbox"/>	Not.Cred.					
<input checked="" type="checkbox"/>	Notice of Hrg					
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<input type="checkbox"/>	UCCJEA					
<input checked="" type="checkbox"/>	Citation					
<input type="checkbox"/>	FTB Notice					
<input type="checkbox"/>						
			Reviewed by: KT			
			Reviewed on: 6/10/14			
			Updates:			
			Recommendation:			
			File 14 - McFadden			

Pro Per Hair, Gail (Pro Per Co-Conservator, sister)  
 Pro Per Michael, Sheryl (Pro Per Co-Conservator, sister)

## Probate Status Hearing Re Conservatorship

<b>Age: 54 years</b>	<p><b>GAIL HAIR</b>, sister residing in San Clemente, and <b>SHERYL MICHAEL</b>, sister residing in Clovis, were appointed Successor Co-Conservators of the Person with medical consent powers and as Co-Conservators of the Estate on 1/25/2008.</p> <p><b>Conservatee is a developmentally disabled adult and has been subject to a conservatorship since 1/23/1981</b>, when her aunt, <b>KATHRYN ZANINOVICH</b>, was appointed Conservator, and served until her resignation due to health reasons. <i>Judgment Approving Final Report and Accepting Resignation of Kathryn Zaninovich as Conservator and Allowing Compensation and Reimbursement to Attorneys</i> was filed 1/25/2008.</p> <p><b>The Conservatorship estate</b> consists of an undivided <b>1/16<sup>th</sup> interest in 24 acres of undeveloped real property</b> on McKinley Avenue in Fresno County, which produces no income.</p> <p><b>Reappraisal for Sale filed on 5/5/2009</b> shows the value as of 1/25/2008 of the Conservatee's <b>1/16<sup>th</sup> interest</b> in the real property as <b>\$28,125.00</b>.</p> <p><b>Minute Order dated 3/10/2009</b> from a <i>Status Hearing Re: First Account</i> states the Court dispenses with further accountings unless the real property is sold.</p> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Order to Reset Hearing Date filed 5/2/2014 changed this Status Hearing date from 6/5/2014 to 6/12/2014, per Co-Conservator Sheryl Michael's request via ex parte petition, based upon her inability to attend on 6/5/2014 due to a work conflict. Thus, the <i>Minute Order</i> dated 6/5/2014 applies to the instant Status Hearing, and states as follows, in pertinent part: No appearances. The Court orders Gail Hair and Sheryl Michael to be personally present on [6/12/2014] or provide the Court a Status Report regarding the 24 acres.</p> <p><b>Note:</b> Co-Conservator Gail Hair indicated to the Court Investigator that she plans to move the Conservatee to the Orange County area. Probate Code § 2352(b) provides the Conservator may establish the residence of the Conservatee at any place within this state without the permission of the Court. Prior to moving the Conservatee, the Co-Conservators must notify the Court of the intended placement by filing with the Court a <i>Pre-Move Notice of Proposed Change of Personal Residence of Conservatee</i>, and filing with the Court a <i>Post-Move Notice of Proposed Change of Personal Residence of Conservatee</i> after the Conservatee's move.</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
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<b>Conf. Screen</b>		
<b>Letters</b>		
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<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/11/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15 – Storey</b></p>

NEEDS/PROBLEMS/COMMENTS, continued:

Notes for background:

- **Minute Order dated 3/22/2012** from the last *Status Hearing Re: Conservatorship* states: No appearances. A Probate Status Hearing is scheduled for 3/20/2014; however, an accounting shall immediately be filed if property is sold or assets come into the Conservatorship.
- **Substitution of Attorney filed on 4/23/2009** indicates Attorney Michael Dowling formerly represented the Co-Conservators, who are now self-represented.
- **Judgment Approving Final Report and Accepting Resignation of Kathryn Zaninovich as Conservator and Allowing Compensation and Reimbursement to Attorneys filed 1/25/2008** orders that the sum of **\$2,500.00** for legal services and **\$589.00** for reimbursement of costs shall be paid to Attorneys Helon & Manfredo by the Successor Conservators upon the sale of the Conservatee's interest in real property, provided such can then be paid in the reasonable judgment of the Successor Conservators without jeopardizing the Conservatee's care. *Request for Special Notice* was filed 3/19/2008 by Attorney Marvin Helon, who represented the former Conservator, Kathryn Zaninovich.

**Court Investigator Dina Calvillo's Annual Review was filed 6/2/2014.**

**Jonathan N. Jones**Atty **Oakley, Katherine L (pro per – maternal grandmother/Petitioner)****Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Destiny, 11</b>	<b>TEMPORARY DENIED 03/20/2014</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Shyanne, 10</b>	<b>KATHERINE OAKLEY</b> , maternal grandmother, is Petitioner.	<b>Minute Order of 03/20/2014:</b> The Court dispenses with further notice to father. The Court directs that mother be personally served. The Court denies the petition under the circumstances. The Court indicates to the petitioner that it intends to defer to the Family Court hearing.
<b>Jonathan, 8</b>		
<b>Cont. from</b>	Father: <b>JOHN JONES</b> , Declaration of Due Diligence filed 03/20/2014	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Mother: <b>MELISSA JONES</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Paternal grandparents: DECEASED	
<input type="checkbox"/> <b>Inventory</b>	Maternal grandfather: MARC MARTINO	
<input type="checkbox"/> <b>PTC</b>	<b>Petitioner states</b> that the children have been in her care for the past 3 years with minimal visits with the parents. The children are stable, attending school and in a safe environment in her care. The father is homeless, abuses drugs and has no income or stability. He now wants to remove the children from Petitioner's stable home. Petitioner states that the children were removed from the father's care by CPS in the past.	1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Melissa Jones (Mother)</li> </ul>
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b> <input checked="" type="checkbox"/>		
<input type="checkbox"/> <b>Aff.Mail</b> <input checked="" type="checkbox"/>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b> <input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• Marc Martino (Maternal Grandfather)</li> </ul>
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>	<b>Court Investigator Dina Calvillo's report filed 06/09/2014.</b>	<b>Note:</b> Father, John Jones, was awarded sole legal and physical custody of the minors in the family law case (13CEFL03841) on 01/02/14.
<input type="checkbox"/> <b>Video Receipt</b>		<b>Reviewed by:</b> LV
<input checked="" type="checkbox"/> <b>CI Report</b>		<b>Reviewed on:</b> 06/10/2014
<input type="checkbox"/> <b>9202</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Order</b>		<b>Recommendation:</b>
<input type="checkbox"/> <b>Aff. Posting</b>		<b>File 16 - Jones</b>
<input type="checkbox"/> <b>Status Rpt</b>		
<input checked="" type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

17 Jessica Tenorio & Brianna Tenorio (GUARD/P)  
 Atty Reynoso, Richard Alonzo III  
 Atty Tenorio, Rosemary

Case No. 13CEPR00562

Petition for Visitation

Jessica Age: 13	ROSEMARY TENORIO, mother, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition does not include a specific visitation request.  2. Need Notice of Hearing.  3. Need proof of service of the Notice of Hearing on: a. Richard Alonzo Reynoso (guardian) b. Jesus Tenorio (father) c. Jessica Tenorio (Minor)
Brianna Age: 9	RICHARD ALONZO REYNOSO, III, brother, was appointed guardian on 08/27/2013.	
Cont. from	Father: JESUS TENORIO	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Paternal grandfather: Deceased. Paternal grandmother: Deceased.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Maternal grandfather: Frank Lujan, Sr. Maternal grandmother: Ernestina Lujan	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/> x	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/> x	
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<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/11/2014
		Updates:
		Recommendation:
		File 17 - Tenorio

**18 Priscilla Gonzales & Mariah Gonzales (GUARD/P) Case No. 13CEPR00568**  
**Atty Gonzales, Nicole (pro per Guardian/paternal aunt)**  
**Atty Galindo, Delia M (pro per Petitioner/mother)**  
**Petition for Visitation**

<b>Priscilla age: 8</b>		<p><b>DELIA MARIE GALINDO</b>, mother, is petitioner.</p> <p><b>NICOLE GONZALES</b>, paternal aunt, was appointed guardian on 9/3/13.</p> <p>Father: <b>ANTHONY GONZALES</b></p> <p>Paternal grandfather: Daniel Gonzales  Paternal grandmother: Cecelia Gonzales  Maternal grandmother: Theresa Martinez</p> <p><b>Petitioner states</b> she was recently released from Fresno County Jail after serving her term on AB109. She states she is no longer on probation and does not have any open cases. She did not come to the hearing on 8/28/13 because she was in jail. Petitioner states while Anthony [father] had custody she has an ongoing relationship with the girls but was not living in the same house. Petitioner states she is now living in Firebaugh with her mother, who has guardianship of Petitioner's son, Xavier. Now that her life is on track Petitioner believes she can take responsibility and provide for her children.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:  d. Nicole Gonzales (guardian)  e. Anthony Gonzales (father)</li> <li>3. Petition does not include a specific visitation request.</li> </ol>				
<b>Mariah age: 4</b>							
<b>Cont. from</b>							
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<table border="1"> <tr> <td><b>Reviewed by: KT</b></td> </tr> <tr> <td><b>Reviewed on: 6/11/14</b></td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 18 - Gonzales</b></td> </tr> </table>			<b>Reviewed by: KT</b>	<b>Reviewed on: 6/11/14</b>	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 18 - Gonzales</b>
<b>Reviewed by: KT</b>							
<b>Reviewed on: 6/11/14</b>							
<b>Updates:</b>							
<b>Recommendation:</b>							
<b>File 18 - Gonzales</b>							

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

<b>Age: 4 months</b>		<b>TEMPORARY (GRANTED EX PARTE) EXPIRES 6/12/14.</b>  <b>STEFFANI HARRIS</b> , non-relative, is petitioner.  Father: <b>GEORGE MACK</b>  Mother: <b>DONNA MACK</b>  Paternal grandparents: Unknown Maternal grandfather: Donald McCoy Maternal grandmother: Pamela Menagh – consents and waives notice.  <b>Petitioner states</b> the mother is drinking and using again. She has not been able to stop. Petitioner states she and her husband tried to get mom into a rehabilitation center be she decided she would rather continue drinking. Mom has already lost 10 children due to her drinking. She recently had her rights terminated to two of her children.  <b>DSS Social Worker Irma Ramirez's Report</b> filed on 6/10/14.  <b>Court Investigator Julie Negrete's Report</b> filed on 6/10/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of personal service of the Notice of Hearing along with a copy of the petitioner or consent and waiver of notice or declaration of due diligence for: a. George Mack (father) b. Donna Mack (mother)  3. Need proof of service of the Notice of Hearing along with a copy of the petitioner or consent and waiver of notice or declaration of due diligence for: a. Donald McCoy (maternal grandfather) b. Paternal grandparents	
<b>Cont. from</b>				
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			<b>Reviewed by: KT</b>	
			<b>Reviewed on: 6/11/14</b>	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 19 - Mack</b>	

			<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> Petitioner is Spanish-speaking.  <b>Court Investigator advised rights on 6-2-14</b>  <b>Voting rights affected – need minute order.</b>
			<b>LAURA TEJADA ESPINOZA</b> , Mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.	
	Aff.Sub.Wit.			
✓	Verified		<b>Voting rights affected</b>	
	Inventory			
	PTC		<b>A Capacity Declaration was filed on 4-28-14.</b>	
	Not.Cred.			
✓	Notice of Hrg		<b>Petitioner states</b> the proposed Conservatee is diagnosed with Down Syndrome and Mental Retardation. He has the cognitive ability of a child. He is able to bathe, dress and feed himself, but requires constant supervision. He attends an adult day education program through Fresno State and is able to read some sight words and write a few words. His physical health is good. He is a CVRC client. His CVRC counselor, Xavier Garcia, may be able to provide additional information.	
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt		<b>Court Investigator Samantha Henson filed a report on 6-5-14.</b>	
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
				<b>Reviewed by:</b> skc
				<b>Reviewed on:</b> 6-11-14
				<b>Updates:</b>
				<b>Recommendation:</b>
				<b>File 20 - Espinoza</b>



<b>Andy Delgado 6</b>	<b>AUGUSTIN OROZCO</b> , Father, filed a Petition for Termination of Guardianship of Andy Delgado on 2-19-13.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 051214</b>	<b>MARTHA DELGADO</b> , Maternal Grandmother and Guardian, filed an Objection on 4-11-13.	<b>Hearing is set at 10:00am</b>
<b>Aff.Sub.Wit.</b>	The Order After Hearing filed 09/10/2013 set this status hearing.	<b>Continued from 05/12/2014.</b>
<b>Verified</b>		<b>Note:</b> Martha Delgado, maternal grandmother, is the current Guardian of Andy Delgado and his five half-siblings, Isyss Fuerte (age 11), Tess Fuerte (age 9), Cainen Fuerte (age 8), Isla Fuerte (age 4), and Evan Fuerte (age 3).
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	<b>Order After Hearing filed 09/10/2013</b> states the Guardian and the Father shall share custody of the minor child with a 50/50 plan on a split week schedule. The Guardian agrees to participate in co-parenting class or program such as the class that the father has completed. The Court ordered the Guardian shall not allow unsupervised contact between the minor child and the Mother, Crystal Delgado, without supervision by the Guardian or Alfonso Naranjo.	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>	Declaration of Guardian/Maternal Grandmother, Martha Delgado, filed on 06/02/2014 states that they attended a probate mediation on 06/25/2013 and agreed to expand father's visitation, communicate and to work towards getting along and reducing the conflict that is harming the child. Guardian completed a co-parenting class, guardian and father get along however the hardest part for the minor is missing his siblings when it is the father's time for visitation. The guardians states that she was shocked by the allegations made by the father when the parties were in court on 05/12/2014.	
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by:</b> LV
<b>Status Rpt</b>		<b>Reviewed on:</b> 06/11/2014
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>	<b>Please see additional page</b>	<b>File 1 – Delgado &amp; Fuerte</b>

**Continued from previous page:** In February 2014 the father told the guardian that the therapist said the minor no longer needed therapy however, father (through his attorney) claimed he's been in counseling through April 2014. Guardian states that it was alleged that the father wanted to sign the child up for baseball and football but that the guardian wouldn't allow it. Upon further investigation the father admitted he did not ask the guardian about baseball and football and decided to wait to sign him up until next year due to transportation issues. Guardian states that she does not discuss court proceedings with her grandson however the child came home on 05/11/2014 and said "you have court tomorrow?" Guardian states her daughter visits about once a week for about 30 minutes. Guardian personally supervises the visits and would not allow her to say negative things about the father to the child. In April 2014 guardian changed her phone plan to save money and her phone number was changed, she forgot to tell the father and he never asked for a new number. His attorney made a big deal out of it in court and guardian immediately gave him her new number. Guardian states that like the court, she "must consider trauma inherent in removing the guardian, the psychological relationship between the guardian and the child and the child and his siblings" (Guardianship of Kassandra H (1998) 64 CA4th 1228. Guardian has been raising the minor since he was eight months old. He is close to his five siblings as they have all been raised together. The father is now suggesting that the guardianship be terminated. Guardian does not believe it is in the best interest of the child as he has bonded with the guardian and his siblings. Guardian states that the child can have a full relationship with both families under the current parenting plan. Guardian states that she did offer to terminate the guardianship and continue to share time with the minor they are currently sharing however the father refused.

**Reply Declaration of Guardian/Maternal Grandmother, Martha Delgado filed 06/06/2014** states she had no idea that the father continued to take the child to therapy and tell the therapist negative things about the guardian. She states that the order filed 09/10/2013 was done in good faith by the guardian. It gave the father the right to authorize "routine medical treatment", he was supposed to provide notice to the guardian. Guardian is hurt that the father was taking the child to therapy behind her back with his own agenda. Guardian states she can consent to terminate the guardianship PROVIDED the minor continues to have frequent and continuing contact with his siblings and the guardian. It would not be in the best interest of the child to only see his sibling and the guardian every other weekend.